

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES :  
 : 3:19-CR-298  
 :  
 v. :  
 : (JUDGE MANNION)  
 JASON RODRIGUEZ, :  
 :  
 Defendant :  
 :

**ORDER**

For the reasons set forth in the Memorandum of this date, **IT IS**

**HEREBY ORDERED THAT:**

1. Rodriguez's Motion for Compassionate Release because of the COVID-19 pandemic, **(Doc. 64)**, is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction under §3582(c)(1)(A)(i) since he filed his motion without waiting 30 days after he submitted his requests to the Wardens of LCP and FCI Loretto.
2. Insofar as Rodriguez is seeking the court to direct the BOP to find him eligible for home confinement designation under the CARES Act, his motion is **DISMISSED** since the authority to make this determination lies with the BOP Director and not the court.

s/ Malachy E. Mannion  
**MALACHY E. MANNION**  
United States District Judge

**Dated: October 13, 2020**

19-298-01-ORDER